

REMARKS/ARGUMENTS

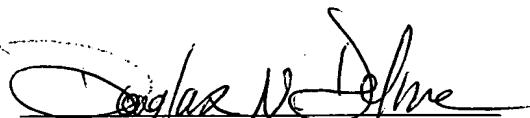
Applicants' claims are 1-6. Claims 4 and 6 have previously been found to be patentable but for dependence on unallowable base claims. Claims 1-3 and 5 stand rejected as unpatentable under 35 USC § 103(a) over the teachings of USP 5,055,438 (Canich). The cited reference taught the combination of a metal complex meeting the requirements of component (A) of the present claims but with an alumoxane cocatalyst. The use of non-interfering oxidizing agents as well as mixtures thereof as cocatalysts was not disclosed in the reference.

In the present response, Claims 1 and 3 have been amended to recite activating cocatalysts (component (B)) that are either noninterfering oxidizing agents, mixtures of noninterfering oxidizing agents, or mixtures of one or more noninterfering oxidizing agents with one or more aluminum alkyls, aluminum halides, aluminum alkylhalides, alkylaluminoxanes, Lewis acids, or ammonium salts. Claim 2 has been amended to recite activating cocatalysts that are either noninterfering oxidizing agents, mixtures of noninterfering oxidizing agents, or mixtures of one or more noninterfering oxidizing agents with one or more aluminum alkyls, aluminum halides or aluminum alkylhalides.

Claim 4 has been amended to substitute the term "consists essentially of" for "is". This amendment is not made in response to any rejection of record nor is it made for a reason substantially related to patentability. The amendment is believed to be less restrictive than the prior claim language and is desired entry in order that patentees may claim all that they are entitled to claim.

In view of the foregoing amendments to Applicants' claims 1-3, reconsideration of the rejection of claims 1-3 and 5 is requested. The present claims are clearly distinguished from the teachings of Canich which neither taught nor suggested the use of activating cocatalysts comprising a noninterfering oxidizing agent. Moreover entry of and consideration of the amendment to claim 4 is requested as well. Applicants respectfully request that a timely Notice of Allowance be issued for all of Applicants' remaining claims in this case.

Respectfully submitted,



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